

DECLASSIFIED

R

111

HARRIS LAWRENCE T
78 MONTEVIDEO 79

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 01 MONTEV 20079 101147Z

ACTION APA-14

INFO OCT-01 ISO-00 CIAI-00 DCDI-00 PM-00 H-01 INR-07

L-00 NSAI-00 NSC-00 PA-01 PIS-01 SI-02 SS-15

USIA-00 HA-00 /000 W

-----105100 101150Z /21

P R 101048Z JAN 79

FM AMEMBASSY MONTEVIDEO

TO SECSTATE WASHDC PRIORITY 0500

INFO AMEMBASSY BRASILIA

AMEMBASSY MEXICO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE MONTEVIDEO 20079

E.O. 11652: N/A

TAGS: SHUM, PINT, BR, UY

SUBJ: HUMAN RIGHTS: CASE OF FLAVIO TAVARES

REF: 77 MONTEVIDEO 3704

1. BEGIN UNCLASSIFIED. FLAVIO TAVARES, EXILED BRAZILIAN JOURNALIST WHO HAS BEEN UNDER ARREST HERE SINCE LAST JULY ON ESPIONAGE CHARGES, HAS BEEN GRANTED "CONDITIONAL LIBERTY" BY A MILITARY COURT AND WAS RELEASED FROM PRISON ON JAN. 6. THE MOVE WAS MADE TECHNICALLY POSSIBLE BY THE FINDING OF A MILITARY PROSECUTOR THAT TAVARES' GUILT WAS LIMITED TO THAT OF ACCESSORY TO AN ATTEMPTED ESPIONAGE. THIS LESSER OFFENSE WHICH CARRIES A MAXIMUM 12-MONTH IMPRISONMENT AND EXPULSION FROM COUNTRY PENALTY PERMITS THE ACCUSED'S RELEASE FROM CUSTODY WHILE HIS CASE IS UNDER REVIEW BY THE TRIAL AND APPEALS COURTS. TERMS OF HIS RELEASE REQUIRE TAVARES TO REMAIN IN URUGUAY UNTIL THE CASE IS LITIGATED TO A CONCLUSION.

2. THE EVENT WAS GIVEN BRIEF BUT PROMINENT COVERAGE

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MONTEV 20079 101147Z

BY ALL LOCAL PAPERS JAN. 6-7, WITH EMPHASIS ON THE HUMAN INTEREST SIDE OF THE STORY. IN RESPONSE TO INTERVIEWERS TAVARES STUCK TO HIS FAMILIAR LINE: THAT HE WAS THE INNOCENT AND UNWITTING VICTIM OF CIRCUMSTANCES; THAT HIS ACTIVITIES HAD BEEN LIMITED TO THE JOURNALISTIC SPHERE; THAT HE WAS CONFIDENT HE WOULD BE VINDICATED BY THE MILITARY TRIBUNALS; THAT ANY HEALTH PROBLEMS HE WAS HAVING ANTICIPATED HIS ARREST; AND THAT HE HAD RECEIVED COURTEOUS, CORRECT TREATMENT BY HIS CAPTORS. END UNCLASSIFIED.

3. BEGIN LIMITED OFFICIAL USE. THE PRESENT STEP REPRESENTS A VINDICATION OF THE PATIENT, NON-POLEMIC, BEHIND-THE SCENES APPROACH ADOPTED BY TAVARES AND HIS URUGUAYAN AND BRAZILIAN FRIENDS. SIGNIFICANTLY, IT COMES ONLY SOME TWO WEEKS BEFORE THE SCHEDULED VISIT HERE OF PRESIDENT GEISEL. IN VIEW OF THE GOV'S EXPRESSED INTEREST IN A RESOLUTION OF THE CASE, THIS MAY HAVE BEEN A SPECIFIC QUID PRO QUO. THE COURSE OF JUSTICE, ESPECIALLY MILITARY JUSTICE, IN URUGUAY

LIMITED OFFICIAL USE

DECLASSIFIED

DEPARTMENT OF STATE A/CDC/NR	REVIEWED BY <i>J. Man</i>	DATE <i>4/20/80</i>
RDS ☐ & YES ☐ EXT. DATE	TS AUTH. ☐	EXT. DATE ☐
EXT. DATE ☐	EXT. DATE ☐	EXT. DATE ☐
EXT. DATE ☐	EXT. DATE ☐	EXT. DATE ☐
EXT. DATE ☐	EXT. DATE ☐	EXT. DATE ☐
EXT. DATE ☐	EXT. DATE ☐	EXT. DATE ☐

DECLASSIFIED

HARRIS LAWRENCE E
25 MONTEVIDEO 73

LIMITED OFFICIAL USE

IS GENERALLY SLOW AND TEDIOUS. HOWEVER, OFFICIAL BRAZILIAN
INTEREST IN THE FATE OF TAVARAS HAS APPARENTLY ALREADY WORKED
TO ACCELERATE HIS CASE. IF IT CONTINUES TO BE INVOLVED,
HE MAY WELL SOON FIND HIMSELF CONVICTED OF THE LESSER
CHARGE, SENTENCED TO A PERIOD WHICH WOULD REQUIRE NO
FURTHER DETENTION, AND THEN FORMALLY EXPELLED FROM URUGUAY --
BUT FACES SAVED ALL AROUND. END LIMITED OFFICIAL USE.

PSZULIC

LIMITED OFFICIAL USE

03113307130

PAGE

5